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Docket No. GP-100C1  
Serial No. 08/860,844

sequence, a nuclear localization signal sequence (NLS) and an optional support attachment (OSA) wherein said TBA is administered to a patient in need of such treatment a therapeutically or prophylactically effective amount of said TBA, which comprises administering the TBA, either in the form of a purified protein complex or in the form of a recombinant vector which, upon entry into the patient is able to express the TBA, such that the TBA binds a particular nucleic acid sequence to achieve the desired prophylactic or therapeutic result.

*Bl  
cancel*

Please cancel claims 42 and 44.

#### Remarks

Claims 28, 29, 42, 44 and 49 were pending in the subject application. By this amendment claim 28 has been amended and claims 42 and 44 have been canceled. Therefore, claims 28, 29, and 49 are before the Examiner for consideration. Favorable consideration of the claims as now presented is earnestly solicited.

The amendments and the cancellation of claims have been done solely for the purpose of expediting prosecution, and the cancellation of these claims should not be taken to indicate the applicants' agreement with, or acquiescence in, the rejections of record.

The applicants gratefully acknowledge the Examiner's indication that claim 49 is allowable.

Claims 28, 29 and 42 have been rejected under 35 U.S.C. §112, second paragraph. By this amendment claim 28 has been amended to address the issue raised by the Examiner. The applicants believe that the amendment of claim 28 should overcome this rejection as it applies to claims 28 and 29. The cancellation of claim 42 renders moot this grounds for rejection as it applies to that claim. Therefore, the applicants respectfully request reconsideration and withdrawal of the rejection under 35 U.S.C. §112, second paragraph.

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Claim 42 has been rejected under 35 U.S.C. §102(b) as being anticipated by Collins (EPO 0,204,510). By this amendment, claim 42 has been canceled, thus rendering moot this grounds for rejection.

Claim 44 has been rejected under 35 U.S.C. §102(b) and (c) as being anticipated by Ladner *et al.* (U.S. Patent No. 5,096,815). By this amendment, claim 44 has been canceled, thus rendering moot this grounds for rejection.

The applicants believe that, in view of the amendments to the claims and the above remarks, the current claims are now in condition for allowance. Such action is respectfully requested.

The Commissioner is hereby authorized to charge any fees under 37 CFR 1.16 or 1.17 as required by this paper to Deposit Account 19-0065.

The applicants invite the Examiner to call the undersigned if clarification is needed on any of this response, or if the Examiner believes a telephone interview would expedite the prosecution of the subject application to completion.

Respectfully submitted,



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DRS/la

Attachments: Petition and Fee for Extension of Time